

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 4:14cr105
)	
PLAINTIFF,)	JUDGE SARA LIOI
)	
vs.)	
)	ORDER ON VIOLATION OF
)	CONDITIONS OF SUPERVISED
)	RELEASE
WHITTINGTON DAVIS,)	
)	
DEFENDANT.)	

A violation report was filed in this case on March 20, 2019. The court referred this matter to Magistrate Judge George J. Limbert to conduct appropriate proceedings and to file a report and recommendation. The magistrate judge reported that a supervised release violation hearing was held on March 21, 2019. Counsel for the government orally moved to dismiss Violation No. 1—Failure to Pay Special Assessment; and Violation No. 3—Was Not Honest with Probation Officer. The defendant admitted to the following violations: Violation No. 2—Termination from Community Confinement Center; and Violation No. 4—Unauthorized Use of Drugs.

The magistrate judge filed a report and recommendation on March 21, 2019, in which the magistrate judge recommended that the court find that the defendant has violated the conditions of his supervision as set forth Violation Nos. 2 and 4.

A final supervised release violation hearing was conducted on April 23, 2019. Defendant Whittington Davis was present and represented by Attorney Edward Bryan.

The United States was represented by Assistant United States Attorney Damoun Delaviz. United States Probation Officers Cody Montgomery and Luke Filippi were also present at the hearing.

No objections were filed to the report and recommendation of the magistrate judge, and the time for objections has passed. Additionally, after hearing testimony, the court finds that the government has proven by a preponderance of the evidence that the defendant has violated the terms and conditions of his supervision as to Violation Nos. 2 and 4 and, therefore, for both of these reasons, the court adopts the report and recommendation of the magistrate judge. Upon motion of the government, Violation Nos. 1 and 3 are dismissed.

IT IS ORDERED that the defendant's term of supervised release is revoked and the defendant is sentenced to the custody of the Bureau of Prisons for a period of nine (9) months, with credit for time served since March 21, 2019. The court recommends that defendant be placed in a facility as close to Youngstown, Ohio as possible and that the defendant participate in any trades programs offered at the designated facility.

No term of supervised release shall follow.

The defendant is remanded to the custody of the United States Marshal.

IT IS SO ORDERED.

Dated: April 23, 2019


HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE